

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

NARRAGANSETT INDIAN TRIBE)	
OF RHODE ISLAND)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 03-296S
)	
THE STATE OF RHODE ISLAND AND)	
PROVIDENCE PLANTATIONS, GOVERNOR)	
DONALD L. CARCIERI, STATE OF)	
RHODE ISLAND, in his official)	
capacity; PATRICK C. LYNCH, RHODE)	
ISLAND ATTORNEY GENERAL, in his)	
official capacity; RHODE ISLAND)	
STATE POLICE, COLONEL STEVEN M.)	
PARE, in his official capacity;)	
JUSTICES OF THE RHODE ISLAND)	
DISTRICT AND SUPERIOR COURTS; the)	
TOWN OF CHARLESTOWN; and the)	
CHARLESTOWN POLICE DEPARTMENT)	
)	
Defendants.)	
)	
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THE STATE OF RHODE ISLAND AND)	
PROVIDENCE PLANTATIONS)	
)	
Plaintiff,)	
)	
v.)	
)	
THE NARRAGANSETT INDIAN TRIBE)	
)	
Defendant.)	

SCHEDULING ORDER

Before the Court are the parties' cross motions for a temporary restraining order in this consolidated action.

It is the understanding of this Court that the Rhode Island Attorney General's Office has agreed to file motions to

vacate further pretrial dates that are pending in the state criminal actions that resulted from the dispute that gave rise to these consolidated actions, effectively placing these prosecutions on hold. It is the further understanding of this Court that the Narragansett Indian Tribe's smoke shop is currently and shall remain closed pending the resolution of the legal issues in this case. Therefore, the motions for a temporary restraining order are essentially moot, and pursuant to Rule 65 of the Federal Rules of Civil Procedure, this Court has consolidated the parties' Motions for Preliminary Injunctive Relief with the trial of the action on the merits.

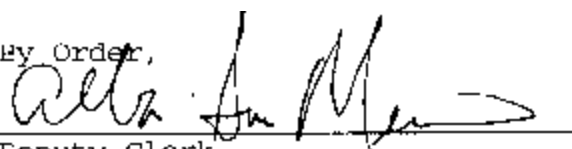
Accordingly, in order to expedite the consideration of the merits, the Court sets the following schedule, which will allow the parties to move for summary judgment in their respective declaratory judgment actions:

1. The parties shall file factual stipulations with the Court on or before July 25, 2003;
2. The parties shall file cross motions for summary judgment, their principal briefs on or before August 20, 2003;¹ and


¹ For purposes of this Order, Rule 12.1 of the Local Rules is waived. In addition, the parties are exempted from the page limitations set forth in General Order 2002-01 for all briefs filed in this action.

3. The parties shall file any reply briefs on or before September 4, 2003.

By Order,


Deputy Clerk

ENTER:


William E. Smith
United States District Judge

Date: July 27, 2003